

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of : Response Under 37 CFR 1.116 - Expedited Procedure
 : Customer Number: 20277
 :
 Thomas P. NOLAN : Confirmation Number: 7644
 :
 Application No.: 10/765,208 : Group Art Unit: 1773
 :
 Filed: January 28, 2004 : Examiner: Kevin M. Bernatz
 :

For: THIN FILM STRUCTURES PROVIDING STRONG BASAL PLANE GROWTH ORIENTATION AND MAGNETIC RECORDING MEDIA COMPRISING SAME

Mail Stop AF
 Commissioner for Patents
 P.O. Box 1450
 Alexandria, VA 22313-1450

Dear Sir:

Transmitted herewith is an Amendment in the above-identified application.

- ☐ No additional fee is required.
☐ Applicant is entitled to small entity status under 37 CFR 1.27
☒ Also attached: Terminal Disclaimer and Certification Under Rule 1.321 & 3.73(b)

The fee has been calculated as shown below:

	NO. OF CLAIMS	HIGHEST PREVIOUSLY PAID FOR	EXTRA CLAIMS	RATE	FEE
Total Claims	11	24	0	\$50.00 =	\$0.00
Independent Claims	2	3	0	\$200.00 =	\$0.00
Multiple dependent claims newly presented					\$0.00
Fee for extension of time					\$0.00
Terminal Disclaimer					\$130.00
Total of Above Calculations					\$130.00

- ☒ Please charge my Deposit Account No. 500417 in the amount of \$130.00. An additional copy of this transmittal sheet is submitted herewith.
- ☒ The Commissioner is hereby authorized to charge payment of any fees associated with this communication or credit any overpayment, to Deposit Account No. 500417, including any filing fees under 37 CFR 1.16 for presentation of extra claims and any patent application processing fees under 37 CFR 1.17.

Respectfully submitted,

McDERMOTT WILL & EMERY LLP

Bernard P. Codd

Bernard P. Codd
 Registration No. 46,429

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 Date: November 7, 2006

Please recognize our Customer No. 20277 as our correspondence address.

Docket No.: 050103-0524

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of	:	Customer Number: 20277
Thomas P. NOLAN	:	Confirmation Number: 7644
Application No.: 10/765,208	:	Group Art Unit: 1773
Filed: January 28, 2004	:	Examiner: Kevin M. Bernatz

For: THIN FILM STRUCTURES PROVIDING STRONG BASAL PLANE GROWTH
ORIENTATION AND MAGNETIC RECORDING MEDIA COMPRISING SAME

**TERMINAL DISCLAIMER AND CERTIFICATION
UNDER RULE 1.321 & 3.73(b)**

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Your Petitioner, SEAGATE TECHNOLOGY LLC, a Limited Liability Company of the State of Delaware and having an office at 920 Disc Drive, P.O. Box 66360, Scotts Valley, California 95067-0360 represents that it is the Assignee of the entire right, title and interest in and to U. S. Application No. 10/765,208, entitled THIN FILM STRUCTURES PROVIDING STRONG BASAL PLANE GROWTH ORIENTATION AND MAGNETIC RECORDING MEDIA COMPRISING SAME filed on January 28, 2004, by virtue of the Assignment dated July 23, 2004 and recorded on August 9, 2005 at Reel 016624 Frame 0692.

Your Petitioner further represents that it is the assignee of the entire right, title and interest in and to U.S. Patent Application Serial No. 10/764,602 filed January 27, 2004 by virtue of the Assignments dated July 23, 2004; August 9, 2004, July 23, 2004; July 23, 2004; and July 23, 2004 and recorded on August 16, 2004 at Reel 015681 Frame 0293.

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Application No.: 10/765,208

Your Petitioner hereby disclaims the terminal part of any patent granted on said U. S. Application No. 10/765,208 which would extend beyond the expiration date of any patent granted on U.S. Application No. 10/764,602.

Your Petitioner further agrees that any patent issuing on said U. S. Patent Application No. 10/765,208 shall be enforceable only for and during such period that the legal title to said patent shall be the same as the legal title to any patent granted on said U. S. Application No. 10/764,602, this agreement to run with any patent granted on said U. S. Patent Application No. 10/765,208 and to be binding upon the grantee, its successor or assigns.

In making the above disclaimer, Petitioner does not disclaim any terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. §§ 154 to 156 and 173 of any patent granted on U.S. Patent Application No. 10/765,208, as presently shortened by any terminal disclaimer, in the event that it later: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321, has all claims cancelled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer.

CERTIFICATE UNDER 37 CFR 3.73(b)

SEAGATE TECHNOLOGY LLC a Limited Liability Company of the State of Delaware certifies that it is the assignee of the entire right, title and interest in the patent application identified above by virtue of:

An Assignment from the inventor(s) of the patent application identified above. The assignment was recorded in the Patent and Trademark Office at Reel 016624 Frame 0692.

The undersigned has reviewed all the documents in the chain of title of the patent application identified above and, to the best of undersigned's knowledge and belief, title is in the assignee identified above.

The undersigned (whose title is supplied below) is empowered to act on behalf of the assignee.

Application No.: 10/765,208

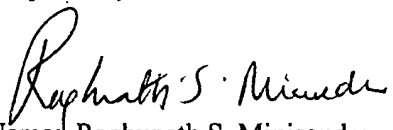
The undersigned further declares that all statements made herein of its own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Please charge the \$130.00 Disclaimer fee to Deposit Account Number 500417.

Respectfully submitted,

Date:

10/27/00.


Name: Raghunath S. Minisandram

Title: Sr. Director of Intellectual Property

Signature: